

**BOROUGH OF WESTWOOD**  
**PUBLIC MEETING OF THE MAYOR & COUNCIL**  
**JUNE 15, 2010 MINUTES**  
**MUNICIPAL COMPLEX**  
**101 Washington Avenue**  
**7:30 PM Executive Closed Session/8:00 pm Public Session**

**1. Opening of the Meeting:**

The meeting was called to order by Mayor Birkner at 7:30 pm. Mayor Birkner then read the Open Public Meetings Law Statement: "This meeting which conforms with the Open Public Meetings law, Chapter 231, Public Laws of 1975, is a regular Borough Council meeting. Notices have been filed with our local official newspapers and posted on the municipal bulletin board."

**2. Roll Call:**

Committee Assignments

Mayor Birkner – Present	
Councilmember Grefrath - Present	Finance, Administration & Capital Projects
Councilmember Phayre - Present	Public Properties
Councilmember Quinn - Present	Health & Recreation
Councilmember Sciara - Present	Fire & Ambulance
Councilmember Waneck - Present	Land Use
Council President Miller - Present	Police & OEM
Borough Administrator Hoffmann - Present	
Borough Attorney Doyle - Present	
Deputy Borough Clerk Holmes - Present	

**3. Executive Closed Session:**

**RESOLVED THAT** the Mayor and Council of the Borough of Westwood shall convene in Executive Closed Session to discuss the following matters:

Personnel Matters  
Pending/Potential Litigation  
Attorney's Report

Said discussions are deemed legally confidential pursuant to NJSA 10:4-12(b)

(7) Litigation or contract negotiation, attorney/client  
(8) Employment matters

The Clerk is directed to keep separate minutes of the meeting which shall be made public once that matter has been resolved.

**Motion to enter Closed Session with the intention to reconvene in Open Session:** Councilmember Sciara

Second: Council President Miller

Roll Call: Councilmember Grefrath - Yes

Councilmember Phayre - Yes  
Councilmember Quinn - Yes  
Councilmember Sciara – Yes  
Councilmember Waneck - Yes  
Council President Miller - Yes

**4. Reopen the Meeting:**

**Motion to reopen the meeting:** Council President Miller

Second: Councilmember Sciara

Voice Vote: A voice vote was taken with all present voting in the affirmative.

The time was 8:05 pm.

The meeting was called to order by Honorary Mayor Sorce at 8:06 pm. Honorary Mayor Sorce then read the Open Public Meetings Law Statement: "This meeting which conforms with the Open Public Meetings law, Chapter 231, Public Laws of 1975, is a special Borough Council meeting. Notices have been filed with our local official newspapers and posted on the municipal bulletin board."

**5. Roll Call II:**

Mayor Birkner – Present  
Honorary Mayor Sorce - Present  
Councilmember Grefrath - Present  
Councilmember Phayre - Present  
Councilmember Quinn – Present  
Councilmember Sciara - Present  
Councilmember Waneck - Present  
Council President Miller - Present  
Borough Administrator Hoffmann - Present  
Borough Attorney Doyle - Present  
Borough Engineer Boswell - Present  
Deputy Borough Clerk Holmes – Present

**6. Flag Salute**

Council President Miller gave the invocation. Honorary Mayor Sorce led those present in the salute to the flag.

Honorary Mayor Sorce stated that items on the agenda would be taken out of order tonight. She asked Councilmember Sciara to read the resolution Fire Department Matters of Personnel

**7. Appointments and Installation Fire Department Members**

**Resolution #10-176: Fire Department Personnel Matters**

**Motion to adopt resolution #10-176:** Councilmember Sciara      Second:

Councilmember Waneck  
Roll Call: Councilmember Grefrath - Yes  
Councilmember Phayre - Yes  
Councilmember Quinn - Yes  
Councilmember Sciara - Yes  
Councilmember Waneck - Yes  
Council President Miller – Yes

Mayor Birkner administered the Oaths of Office to Daniel Pohan, Jeffrey Snyder and Bryan Wiecenski.

**8. Community Service Awards**

Presented by Mayor Birkner and the various Council liaisons to individuals who were nominated their organizations for outstanding volunteer service to the community. These individuals were not available at the May meeting to receive their awards along with all the other recipients.

**9. 2010 Mayor for a Day Proclamation**

Mayor Birkner explained that the Mayor for a Day was a fundraising event for the Westwood Education Association. Rosemarie Sorce was the winner of the bid. Mayor Birkner presented Honorary Mayor Sorce with a proclamation. He also stated the Educational Gala raised \$73,500. The Educational Gala coordinators, Brenda Cirello and Beth Dell also made a presentation to Honorary Mayor Sorce.

**10. Reports of Committees and Officials:**

**A) Mayor's Report**

**1) HUMC**

Mr. Robert Garrett, CEO & President of Hackensack University Medical Center stated that they are hard at work to make the reopening of HUMC-North a reality. He also stated he has been working very hard with Gov. Christie who has reiterated his commitment to reopen the hospital and to get the decision reversed. Mr. Garrett said that HUMC's partner, Legacy has stayed with HUMC and is committed to putting in their resources to make this hospital a first rate facility.

**2) Westvale Park**

Honorary Mayor Sorce reported that there was an historic ground breaking ceremony at Westvale Park earlier in the afternoon. She stated that County Executive Dennis McNerney presented to the Mayor and Council a check for \$325,215. from the County Open Space Program. Honorary Mayor Sorce also stated that with the assistance of County Executive McNerney and his staff the Borough is also approved for a Green Acres grant for 25% of the total project costs. This will bring the grant portion of the project to nearly 1 million dollars.

Honorary Mayor Sorce commented that PSE&G installed lights last week in the parking lot, improving security for residents attending games after dark. She stated that regarding the bike path connection and improvements to Pascack County Park, Andy Clark of NJDEP confirmed that his office will approve the NJDEP project permits to Bergen County on June 16<sup>th</sup>. The project will be out to bid the next week with an anticipated award at the August 11 meeting of the Bergen County Board of Chosen Freeholders. Construction should commence soon after Labor Day.

Honorary Mayor Sorce stated she has an addendum to the HUMC update. She said that all residents are urged to continue to write Governor Christie and Health Commission Dr. Poona Alight to voice their concerns and express support for reopening the hospital. Honorary Mayor Sorce also stated that Mayor Birkner will provide the addresses for anyone who's interested.

**3) Train Signalization Intersection Improvements**

Honorary Mayor Sorce stated that Mayor Birkner received multiple sets of the revised plans for the Broadway intersection renovations which were handed out to the Council this afternoon. The meeting with the subcommittee can now move forward.

**B) Engineer's Report**

**1) Bi-weekly Report**

Dr. Boswell reviewed the biweekly report, a copy of which is attached.

**2) Pascack Sewer Pipe**

Councilmember Waneck asked Dr. Boswell who controls the project; it seems the BCUA is the factor that's holding the project from moving forward. Dr. Boswell stated that ultimately the contractor is the person responsible but Boswell Engineering will be there every day to make sure that the contractor is doing it right. There are reviewing agencies and the BCUA will come out periodically as well as the DEP to oversee this project.

**3) 2010 Road Resurfacing Project**

Councilmember Waneck asked Dr. Boswell why the whole length of Roosevelt Avenue to Harrington Avenue is not being paved. Dr. Boswell responded that the grants funding the project were limited. This portion is being paved as Phase I. Next year will see the other Phase.

**C) Council Liaison & Committee Reports**

**1) Finance, Administration and Capital Projects:**

**a) Bus Stops**

Councilmember Grefrath commented he would like to thank several people for their input on this matter, including Administrator Hoffmann, Captain Durante and several Council people. He stated that last May he started an effort to get buses off the narrow, congested street of Jefferson Avenue and move them to Old Hook Road, which is a County road. Councilmember Grefrath also stated that the Bergen County Board of Chosen Freeholders would have to agree to the move but NJ Transit was receptive.

**b) Resolution #10-177 Bus Stops: Authorizing Bus Stops**

**Motion to adopt resolution #10-177:** Councilmember Grefrath

Second: Councilmember Waneck

Roll Call: Councilmember Grefrath - Yes

Councilmember Phayre - Yes

Councilmember Quinn - Yes

Councilmember Sciara - Yes

Councilmember Waneck - Yes

Council President Miller – Yes

**c) Ordinances For Introduction**

10-14 An Ordinance To Amend Section 10.28.020 Entitled “Bus Stops – Designated” Of The Code Of The Borough Of Westwood

**BE IT RESOLVED** that Ordinance #10-14 entitled An Ordinance To Amend Section 10.28.020 Entitled “Bus Stops – Designated” Of The Code Of The Borough Of Westwood is hereby introduced by title; and

**BE IT FURTHER RESOLVED** that the Borough Clerk is hereby directed to advertise said ordinance with an July 20<sup>th</sup>, 2010 hearing date in the official newspaper according to law.

**Motion to pass the ordinance on First Reading:** Councilmember Grefrath

Second: Councilmember Miller

Roll Call: Councilmember Grefrath - Yes

Councilmember Phayre - Yes

Councilmember Quinn - Yes

Councilmember Sciara - Yes

Councilmember Waneck - Yes

Council President Miller – Yes

Councilmember Grefrath thanked the Council for their support.

**d) Veterans’ Park Update**

Councilmember Grefrath reported that he handed out a copy of the latest brochure and asked for the Governing Body’s input. He stated he wanted to bring to everyone’s attention the changes in this latest brochure. The wrought iron benches for Veteran’s Park with the memorial plaque and installation will cost \$1700.00. A third bench for Westvale Park has been added which will cost \$1200.00. The recycled wooden bench for all the other parks will be \$950.00. Councilmember Waneck commented that it was her impression that the bench for picked for Westvale Park was an upscale bench for that type of park and the bench that was picked for the other parks fit more with the atmosphere of Westvale, saving Veterans’ Park for the more formal benches. She added that with the lesser cost of the recycled wood benches more could be purchased. She stated that in regards to the garbage cans she feels that the benches should be purchased first, then the garbage/recycling cans after the choices are made. Councilmember Waneck believes that the less expensive, rustic benches should be used for Westvale. Mayor Birkner commented that he feels the Borough should look into how many benches are needed per the site plan for Westvale Park.

**e) Shade Tree**

Councilmember Grefrath reported that the Shade Tree inventory is about 90%. The target date for completion is the end of June. At that time the tree expert will down load the information into the DPW computers. Councilmember Grefrath added that he is in a discussion with Councilmember Phayre about a pruning schedule, since one of the benefits of this software is that it can designate which areas should be pruned first. He also stated that the Shade Tree Committee is hoping to plant 20-25 short and tall trees this fall.

**2) Police and OEM:**

**a) Parking Authority**

Council President Miller reported that the Parking Authority just had their meeting and that revenue from the meters is slightly up.

**b) Police Department**

Council President Miller reported that the accreditation is moving forward and on target for the onsite inspection date of September. He also stated that training is presently occurring for the Police. Installation of the evidence storage unit is moving forward.

**3) Fire and Ambulance:**

No Report

**4) Public Properties:**

**a) DPW Update**

Councilmember Phayre reported that September 18<sup>th</sup>, 2010 is the tentative date for a County - sponsored shredding truck to be at the DPW. This truck will be able to shred mass amounts of paper. He also stated that press releases will be issued with details.

**5) Land Use:**

**a) Environmental Committee:**

Councilmember Waneck reported that the Environmental Committee will meet the last week in June and investigating options for more points under Sustainable New Jersey. Councilmember Waneck commented that the Borough has enough points right now but she would like to get about 20-30 more.

**b) Land Use Update:**

Councilmember Waneck reported that the Planning Board did not meet last week due to lack of business. She also stated that the Zoning Board did meet but the CVS application was delayed until July 12<sup>th</sup> due to a technical difficulty.

**c) Historical Commission:**

Councilmember Waneck advised that the Historical Commission also met last week and is continuing to work on the first round historic homes for accreditation.

**8) Health and Recreation:**

**a) Library Update**

Councilmember Quinn thanked everyone who participated in the Taste of Westwood with the Library and Chamber of Commerce. It was a fun event.

**b) Recreation Update**

Councilmember Quinn stated that the summer recreation program, concerts and movies are all in place, and that there are a lot of children registered for the play group. She asked if the Council would agree on forming a committee to name the fields at Westvale Park because she doesn't think naming them "A", "B" etc is suitable. She said she would like to include someone from Recreation Board, Historical Society, possibly the Clergy Council, two volunteers from the community, herself, Council President Miller and the Mayor.

Mayor Birkner thanked Ms. Sorce for participating in this program and they both left at 9:05 pm.

**D) Attorney's Report**

No Report

**E) Administrator's / Clerk's Report**

Administrator Hoffmann stated that his report is in written form but did announce that the Health Department Air Conditioning is being repaired.

Councilmember Waneck asked that the Council reserve 15 minutes at the August 3<sup>rd</sup> work session to discuss the train signalization and the possibility of extra expenses.

**11. Agenda/Public Forum:**

**Motion to open the Agenda/Public Forum:** Councilmember Sciara

Second: Councilmember Phayre

Voice Vote: A voice vote was taken with all present voting in the affirmative.

Richard Snyder of Vogel, Collins & Snyder-Mr. Snyder stated his firm represents Verizon Wireless. Mr. Snyder reminded the Governing Body that Verizon Wireless had an application pending before the Planning Board. Mr. Snyder informed that he was made aware to some opposition to the application. Verizon respectfully disagrees with the Planning Board's determination. Mr. Snyder has become aware that the Council has "preliminarily" authorized going out to bid for the site of the wireless communication facility on both the fire house property as well as the municipal property. Verizon would

like to communicate to the Governing Body that in conjunction with any bid Verizon would also like to make the Governing Body aware of any and all issues that Verizon has encountered in connection with the site of any of the two properties in question, specifically as it pertains to the fire house. Verizon's main concern is primarily that if towers were made available would these towers have the structural capability to accommodate any carrier, or for that matter multiple carriers. Thirdly, Mr. Snyder would like to point out that a tenant and landlord relationship is hard to maintain and in his opinion any wireless carrier would seek to acquire a long term lease. Mr. Snyder does not believe that any carrier would seek to invest in such an expensive venture if a long term lease guarantee did not exist. Mr. Snyder respectfully asked if a time frame for the when the bid would go out to bid has been decided upon. This is a critical issue as it pertains to his client, Verizon's, pending application as it may or may not have to be transferred to the court of adjustment. Mr. Snyder would like some feed back as soon as possible. Mr. Huntington informed Mr. Snyder that he would receive feedback through separate communication. Mr. Hoffmann asked for contact information from Mr. Snyder.

Fred Goetz – Council Vice President, Township of Washington - Mr. Goetz thanked the Governing Body for allowing him to sit in the proceedings. Councilmember Goetz informed the Governing Body that his visit is in response to our Governing Body's correspondence requesting conversation in regards to shared services. Councilmember Goetz stated that the Township Governing Body had not received Westwood's correspondence and apologized for the lack and late response to said correspondence. He also would like to graciously accept the offer and informed the Governing Body that Councilmember Hrbek and Mr. Steven Cascio, Board of Health Director, have been elected as representatives to meet with our officials and are open to any partnerships that will mutually benefit to both the Borough and the Township. Council President Miller asked Councilmember Grefrath and Councilmember Phayre if they were familiar with this matter. Councilmember Phayre commented the content of the letter was very casual, non-committal style and no goals were in place. Mr. Goetz responded that the Township would like the opportunity to sit down and discuss any possibility of shared services. He also stated the Township will send a letter to confirm.

**Motion to close the public hearing:** Councilmember Sciara

Second: Councilmember Phayre

Voice Vote: A voice vote was taken with all present voting in the affirmative.

## **12. Ordinances of First & Final Reading:**

### **Ordinances For Introduction**

10-12     An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey Providing For Renovations To The Borough Hall In The Borough Of Westwood, And Appropriating \$40,000 Therefor From The Borough's Capital Improvement Fund

**BE IT RESOLVED** that Ordinance #10-12 entitled "An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey Providing For Renovations To The Borough Hall



In The Borough Of Westwood, And Appropriating \$40,000 Therefor From The Borough's Capital Improvement Fund" is hereby introduced by title; and  
**BE IT FURTHER RESOLVED** that the Borough Clerk is hereby directed to advertise said ordinance with a July 20, 2010 hearing date in the official newspaper according to law.

**Motion to pass the ordinance on First Reading:** Councilmember Grefrath

Second: Councilmember Sciara

Roll Call: Councilmember Grefrath - Yes  
Councilmember Phayre - Yes  
Councilmember Quinn - Yes  
Councilmember Sciara - Yes  
Councilmember Waneck - Yes  
Council President Miller – Yes

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10-13 An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey, Providing For Various Capital Improvements And Other Related Expenses In And For The Borough Of Westwood And Appropriating \$260,000 Therefor, And Providing For The Issuance Of \$247,000 In Bonds Or Notes Of The Borough Of Westwood To Finance The Same

**BE IT RESOLVED** that Ordinance #10-13 entitled "An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey, Providing For Various Capital Improvements And Other Related Expenses In And For The Borough Of Westwood And Appropriating \$260,000 Therefor, And Providing For The Issuance Of \$247,000 In Bonds Or Notes Of The Borough Of Westwood To Finance The Same" is hereby introduced by title; and

**BE IT FURTHER RESOLVED** that the Borough Clerk is hereby directed to advertise said ordinance with a July 20, 2010 hearing date in the official newspaper according to law.

**Motion to pass the ordinance on First Reading:** Councilmember Grefrath

Second: Councilmember Phayre

Roll Call: Councilmember Grefrath - Yes  
Councilmember Phayre - Yes  
Councilmember Quinn - Yes  
Councilmember Sciara - Yes  
Councilmember Waneck - Yes  
Council President Miller – Yes

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10-15 An Ordinance To Amend Chapter 2.80 Entitled "Volunteer Organization Member Benefits"

**BE IT RESOLVED** that Ordinance #10-15 entitled “An Ordinance To Amend Chapter 2.80 Entitled “Volunteer Organization Member Benefits” is hereby introduced by title; and  
**BE IT FURTHER RESOLVED** that the Borough Clerk is hereby directed to advertise said ordinance with a July 20, 2010 hearing date in the official newspaper according to law.

**Motion to pass the ordinance on First Reading:** Councilmember Quinn

Second: Councilmember Phayre

Roll Call: Councilmember Grefrath - Yes

Councilmember Phayre - Yes

Councilmember Quinn - Yes

Councilmember Sciara - Yes

Councilmember Waneck - Yes

Council President Miller – Yes

**Ordinances on Final Hearing**

10-11 An Ordinance To Establish A Schedule Of Salaries, Wages And Compensation Of The Public Officials, Officers And Employees Of The Borough Of Westwood In The County Of Bergen, And To Establish A Method Of Payment Of Such Compensation During Calendar Year 2010

**BE IT RESOLVED** that Ordinance #10-11 entitled “An Ordinance To Establish A Schedule Of Salaries, Wages And Compensation Of The Public Officials, Officers And Employees Of The Borough Of Westwood In The County Of Bergen, And To Establish A Method Of Payment Of Such Compensation During Calendar Year 2010”, having hereby been read by title, shall have a hearing held on this date.

**Motion to open the public hearing:** Councilmember Grefrath

Second: Councilmember Phayre

Roll Call: Councilmember Grefrath - Yes

Councilmember Phayre - Yes

Councilmember Quinn - Yes

Councilmember Sciara - Yes

Councilmember Waneck - Yes

Council President Miller – Yes

**Public Comments:**

No Comments

**Motion to close the public hearing:**

Voice Vote: A voice vote was taken with all present voting in the affirmative.

**BE IT RESOLVED** that an Ordinance known as #10-11 be passed on final reading and that a Notice of Adoption of said Ordinance be published in the official newspaper according to law.

**Motion for final adoption:** Councilmember Waneck

Second: Councilmember Grefrath

Roll Call: Councilmember Grefrath - Yes

Councilmember Phayre - Yes

Councilmember Quinn - Yes

Councilmember Sciara - Yes

Councilmember Waneck - Yes

Council President Miller – Yes

### **13. Presentation of Bills, Financial Reports and Resolutions:**

Mayor Birkner advised that the following Resolutions would be enacted in one motion. Councilmembers who wished to remove any Resolution(s) to be voted upon separately, had the opportunity to do so at this time, and said Resolutions would be considered separately.

Councilmember Waneck commented that the Recreation forms be amended to specify no stakes/spikes in Veterans' Park. The consensus was to add that verbiage to the forms.

Council President Miller questioned whether the energy audit resolution was just accepting the written report without further expenditures and not necessarily their recommendations. After some discussion, Borough Attorney Doyle recommended adding "without further financial commitment by the Borough" to the resolution. The consensus was to add that verbiage to the resolution.

#### **Resolutions as Consent Agenda:**

**Resolution #10 - 178: Bill List & Statement of Cash**

**Resolution #10 - 179: Renewal of 2010-2011 Liquor Licenses**

**Resolution #10 - 180: Authorizing Redemption of Tax Sale Certificate #09-00001**

**Resolution #10 - 181: Authorizing Engineering Inspection for the 2010 Road  
Resurfacing Program**

**Resolution #10 - 182: Approving Recreation Forms**

**Resolution #10 - 183: Authorizing Execution of Business Associate Agreement**

**Resolution #10 - 184: Establishment of a New Petty Cash Fund**

**Resolution #10 - 185: Change in Custodian of Petty Cash Fund - Recreation**

**Resolution #10 - 186: Change in Custodian of Petty Cash Fund – Clerk**

**Resolution #10 - 187: Use of Train Station/Veterans' Park-Health Fair/Summer  
Festival**

**Resolution #10 - 188: Hire of Full Time Dispatcher**

**Resolution #10 - 189: Hire of Part Time Property Maintenance Official**

**Resolution #10 - 190: Adopting Personnel Policies and Procedures**

**Resolution #10 - 191: Authorizing Repairs to the Board of Health Air Conditioner**

**Motion to adopt resolutions #10-178 through #10-191:** Councilmember Grefrath

Second: Councilmember Sciara

Roll Call: Councilmember Grefrath - Yes

Councilmember Phayre - Yes

Councilmember Quinn - Yes

Councilmember Sciara - Yes

Councilmember Waneck - Yes

Council President Miller – Yes

Resolution #10 – 192: Adopting Energy Audit

**Motion to adopt resolution #10-192:** Councilmember Waneck

Second: Councilmember Phayre

Roll Call: Councilmember Grefrath - Yes

Councilmember Phayre - Yes

Councilmember Quinn - Yes

Councilmember Sciara - Yes

Councilmember Waneck - Yes

Council President Miller – Yes

**15. Adjournment:**

**Motion to adjourn:** Councilmember Waneck

Second: Councilmember Sciara

Voice Vote: A voice vote was taken with all present voting in the affirmative.

The time was 9:40 pm.

Attest:

*(signed) Karen Hughes*

Denise Holmes, Deputy Borough Clerk

Proofed by: Karen Hughes, Borough Clerk

Robert S. Hoffmann, Borough Administrator